



TRADEMARK TRIAL AND
APPEAL BOARD

Trademark

94 FEB 18 PM 12:40

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Brooklyn Bottling Corporation) Trademark Attorney
Serial No.: 74/104,891) Patricia A. Malesardi, Esq.
Filed: October 11, 1990) Law Office 14
Trademark: TROPICAL FANTASY)

TIME
LAW OFFICE 14
94 FEB 14 PM 3:02

Commissioner of Patents and Trademarks
BOX 5
Washington, D.C. 20231

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AMENDMENT

Please amend the above-identified trademark application,
without prejudice, as follows:

On page 1, after the last full paragraph, insert the
following:

Print a	-- Without relinquishing any of its common law rights, applicant hereby disclaims the word "TROPICAL" apart from the mark as shown.--.	PRINT
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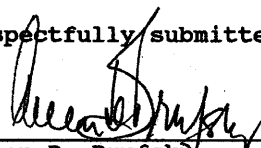
REMARKS

On January 26, 1994, the Trademark Trial and Appeal Board
reversed the Examiner's refusal to register the subject mark under
Section 2(d) of the Lanham Act. However, the Board required that

Ecuabeverage Statement of Material Facts - Exhibit 14

in order to proceed to registration, a disclaimer of "Tropical" should be filed within thirty days from the date of the opinion. This amendment submits the required disclaimer. A copy of the Board's decision is attached for reference.

Respectfully submitted,


Allen D. Brufsky
Attorney for Applicant
KRAMER, BRUFISKY & CIFELLI, P.C.
P.O. Box 59
Southport, CT 06490
(203) 255-8900

Date: February 1, 1994

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231 on 2/1/94

(Date of Deposit)

Allen D. Brufsky

Name of applicant, assignee, or
Registered Representative


Signature

February 1, 1994

Date of Signature